

**ASSEMBLY BILL**

**No. 1059**

---

**Introduced by Assembly Member De Leon**

February 23, 2007

---

An act to amend Sections 8279.7, 69622, and 69624 of, and to add Article 5.4 (commencing with Section 69617) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to child care personnel.

LEGISLATIVE COUNSEL'S DIGEST

AB 1059, as introduced, De Leon. Child care personnel: Prekindergarten Assumption Program of Loans for Education: Child Development Teacher and Supervisor Grant Program.

(1) Existing law declares the intent of the Legislature to assist counties in improving the retention of qualified child care employees working directly with children who receive state-subsidized child care services. Existing law requires that moneys in specified items of the Budget Acts of 2000, 2004, 2005, and 2006 be allocated to local child care and development planning councils based on the percentage of state-subsidized, center-based child care funds received in the county, and requires that these funds be used to address the retention of qualified child care employees in state-subsidized child care centers.

This bill would declare the intent of the Legislature to expand the provision of funding for the purposes of this provision. The bill would require a county that also participates in a Comprehensive Approach to Raising Educational Standards (CARES) program to align these programs and related educational requirements to the maximum extent feasible. The bill would require a county receiving funds for the purposes of this provision to grant priority to allocating funds at sites operated

by public sector providers that are located in the attendance area of elementary schools that have been ranked in decile 1, 2, or 3 of the Academic Performance Index or that employ child care workers enrolled in for-credit college or university early childhood development classes.

(2) Existing law establishes an Assumption Program of Loans for Education (APLE), administered by the Student Aid Commission, and under which an applicant enrolled in a participating institution of postsecondary education, or an applicant who agrees to participate in a teacher trainee or teacher internship program, and who further agrees to obtain a teaching credential in subject areas that are designated as current or projected shortage areas or to provide classroom instruction in schools that serve large populations of pupils from low-income families, is eligible to enter into a loan assumption agreement, to be redeemed pursuant to a prescribed procedure upon becoming employed as a teacher, for up to \$11,000 of loan assumption benefit after 4 consecutive years of qualified teaching.

This bill would establish the Prekindergarten Assumption Program of Loans for Education (P-APLE). This program would be administered by the Student Aid Commission, and would be similar to APLE. Under P-APLE, a person who has obtained a bachelor of arts or a bachelor of science degree could receive up to \$11,000 of loan assumption benefit after 4 consecutive years of working at a public preschool that is located within the attendance area of a public elementary school that has been ranked in decile 1, 2, or 3 of the Academic Performance Index.

(3) Existing law establishes the Child Development Teacher and Supervisor Grant Program, which is administered by the Student Aid Commission. Under the program, qualified students attending California public or private 2-year or 4-year postsecondary educational institutions who intend to teach or supervise in the field of childcare and development in a licensed children's center may receive grants of up to \$2,000 for each academic year if the participant is enrolled in a 4-year institution, and \$1,000 for each academic year if the participant is enrolled in a community college. Existing law expresses the intent of the Legislature that up to 100 new grants be awarded under the program each year. Existing law also provides that this program is not implemented unless and until federal funds are made available for its purposes.

This bill would add persons working at a child care center that contracts with the State Department of Education and persons working at sites operated by a public sector provider that is located in the

attendance area of a public elementary school that has been ranked in decile 1, 2, or 3 of the Academic Performance Index to those persons who are eligible to receive grants under the program. The bill would express the intent of the Legislature that up to 400 new grants be awarded under the program each year. The bill would raise the maximum level of the grants to \$3,000 for each academic year if the participant is enrolled in a 4-year institution, and \$2,000 for each academic year if the participant is enrolled in a community college.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8279.7 of the Education Code is amended  
2 to read:  
3 8279.7. (a) The Legislature recognizes the importance of  
4 providing ~~quality~~ *high-quality* child care services. It is, therefore,  
5 the intent of the Legislature to assist counties in improving the  
6 retention of qualified child care employees who work directly with  
7 children who receive state-subsidized child care services.  
8 (b) (1) It is further the intent of the Legislature, in amending  
9 this section during the 2005–06 Regular Session, to address the  
10 unique challenges of the County of Los Angeles, in which an  
11 estimated 60,000 low-income children receive subsidized child  
12 care in nonstate-funded child care settings and an additional 50,000  
13 eligible children are waiting for subsidized services.  
14 (2) *It is further the intent of the Legislature, in amending this*  
15 *section during the 2007–08 Regular Session, to expand the*  
16 *provision of funding for the purposes of this section.*  
17 (c) (1) Except as provided in paragraph (2), the funds  
18 appropriated for the purposes of this section by paragraph (11) of  
19 Schedule (b) of Item 6110-196-0001 of Section 2.00 of the Budget  
20 Act of 2000 (Ch. 52, Stats. 2000), and that are described in  
21 subdivision (i) of Provision 7 of that item, and any other funds  
22 appropriated for purposes of this section, shall be allocated to local  
23 child care and development planning councils based on the  
24 percentage of state-subsidized, center-based child care funds  
25 received in that county, and shall be used to address the retention  
26 of qualified child care employees in state-subsidized child care  
27 centers.

(2) Of the funds identified in paragraph (1), funds qualified pursuant to subparagraphs (A) to (C), inclusive, may also be used to address the retention of qualified persons working in licensed child care programs that serve a majority of children who receive subsidized child care services pursuant to this chapter, including, but not limited to, family day care homes as defined in Section 1596.78 of the Health and Safety Code. To qualify for use pursuant to this paragraph, the funds shall meet all of the following requirements:

(A) The funds are allocated for use in the County of Los Angeles.

(B) The funds are appropriated either in paragraph (11) of Schedule (b) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000) and are described in subdivision (i) of Provision 7 of that item, in paragraph (1) of Schedule (1.5) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2004 (Ch. 208, Stats. 2004) and are described in subdivision (i) of Provision 7 of that item, in paragraph (1) of Schedule (1.5) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2005 (Ch. 38, Stats. 2005), in paragraph (1) of Schedule (1.5) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2006 and are described in subdivision (g) of Provision 5 of that item, and if funding is provided, in corresponding sections of the 2007 and 2008 Budget Acts.

(C) The funds are unexpended after addressing the retention of qualified child care employees in state-subsidized child care centers and family child care home education networks.

(d) The department shall develop guidelines for use by local child care and development planning councils in developing county plans for the expenditure of funds allocated pursuant to this section. These guidelines shall be consistent with the department's assessment of the current needs of the subsidized child care workforce, and shall be subject to the approval of the Secretary for Education and the Department of Finance. Any county plan developed pursuant to these guidelines shall be approved by the department prior to the allocation of funds to the local child care and development planning council.

(e) (1) Funds provided to a county for the purposes of this section shall be used in accordance with the plan approved pursuant to subdivision (d). A county with an approved plan may retain up

1 to 1 percent of the county's total allocation made pursuant to this  
2 section for reimbursement of administrative expenses associated  
3 with the planning process.

4 (2) *A county receiving funds for the purposes of this section that*  
5 *also participates in a Comprehensive Approach to Raising*  
6 *Educational Standards (CARES) program shall, to the maximum*  
7 *extent feasible, align these programs and related educational*  
8 *requirements.*

9 (3) *A county receiving funds for the purposes of this section*  
10 *shall grant priority to allocating funds at sites operated by public*  
11 *sector providers that are located in the attendance area of*  
12 *elementary schools that have been ranked in decile 1, 2, or 3 of*  
13 *the Academic Performance Index or that employ child care workers*  
14 *enrolled in for-credit college or university classes related to early*  
15 *childhood development.*

16 (f) The Superintendent of Public Instruction shall provide an  
17 annual report, no later than April 10 of each year, to the Legislature,  
18 the Secretary for Education, the Department of Finance, and the  
19 Governor that includes, but is not *necessarily* limited to, a summary  
20 of the distribution of the funds by county and a description of the  
21 use of the funds.

22 SEC. 2. Article 5.4 (commencing with Section 69617) is added  
23 to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education  
24 Code, to read:

25  
26 Article 5.4. Prekindergarten Assumption Program of Loans for  
27 Education (P-APPLE)  
28

29 69617. (a) There is hereby established the Prekindergarten  
30 Assumption Program of Loans for Education (P-APPLE), to be  
31 administered by the Student Aid Commission.

32 (b) (1) Any person enrolled in an eligible institution, or any  
33 person who agrees to participate in a preschool teacher trainee or  
34 preschool teacher internship program, may be eligible to enter into  
35 an agreement for loan assumption, to be redeemed pursuant to  
36 Section 69617.2 upon becoming employed as a teacher. In order  
37 to be eligible to enter into an agreement for loan assumption, an  
38 applicant shall satisfy all of the conditions specified in subdivision  
39 (c).

(2) As used in this article, “eligible institution” means a postsecondary institution that is determined by the Student Aid Commission to meet both of the following requirements:

(A) The institution is eligible to participate in state and federal financial aid programs.

(B) The institution maintains an accredited baccalaureate degree program.

(c) (1) The applicant has completed at least 60 semester units, or the equivalent, and is enrolled in an academic program leading to a baccalaureate degree at an eligible institution.

(2) The applicant is currently enrolled, or has been admitted to a program in which he or she will be enrolled on at least a half-time basis, as determined by the participating institution. The applicant shall agree to maintain satisfactory academic progress and a minimum of half-time enrollment, as defined by the participating eligible institution.

(3) The applicant has been judged by his or her postsecondary institution to have outstanding ability on the basis of criteria that may include, but need not be limited to, any of the following:

(A) Grade point average.

(B) Test scores.

(C) Faculty evaluations.

(D) Interviews.

(E) Other recommendations.

(4) The applicant has received, or is approved to receive, a loan under one or more of the following designated loan programs:

(A) The Federal Family Education Loan Program (20 U.S.C. Sec. 1071 et seq.).

(B) Any loan program approved by the Student Aid Commission.

(5) The applicant has agreed to teach full time for at least four consecutive academic years at a public preschool that is located within the attendance area of a public elementary school that has been ranked in decile 1, 2, or 3 of the Academic Performance Index.

(d) No applicant who has completed fewer than 60 units, or the equivalent, shall be eligible under this section to participate in the loan assumption program set forth in this article.

(e) A person participating in the program pursuant to this section shall not enter into more than one agreement.

1     69617.1. The commission shall commence loan assumption  
2 payments, as specified in Section 69617.2, upon verification that  
3 the applicant has fulfilled both of the following:

4     (a) The applicant has obtained a bachelor of arts or bachelor of  
5 science degree.

6     (b) The applicant is working at a public preschool that is located  
7 within the attendance area of a public elementary school that has  
8 been ranked in decile 1, 2, or 3 of the Academic Performance  
9 Index.

10    69617.2. (a) The terms of a loan assumption granted under  
11 this article shall be as follows:

12     (1) After a program participant has completed one school year  
13 of instruction pursuant to Section 69617.1, the commission shall  
14 assume up to two thousand seven hundred fifty dollars (\$2,750)  
15 of the participant's outstanding loan liability under one or more  
16 of the designated loan programs.

17     (2) After a program participant has completed two consecutive  
18 school years of instruction pursuant to Section 69617.1, the  
19 commission shall assume up to an additional two thousand seven  
20 hundred fifty dollars (\$2,750) of the participant's outstanding loan  
21 liability under one or more of the designated loan programs, for a  
22 total loan assumption of up to five thousand five hundred dollars  
23 (\$5,500).

24     (3) After a program participant has completed three consecutive  
25 school years of instruction pursuant to Section 69617.1, the  
26 commission shall assume up to an additional two thousand seven  
27 hundred fifty dollars (\$2,750) of the participant's outstanding loan  
28 liability under one or more of the designated loan programs, for a  
29 total loan assumption of up to eight thousand two hundred fifty  
30 dollars (\$8,250).

31     (4) After a program participant has completed four consecutive  
32 school years of instruction pursuant to Section 69617.1, the  
33 commission shall assume up to an additional two thousand seven  
34 hundred fifty dollars (\$2,750) of the participant's outstanding loan  
35 liability under one or more of the designated loan programs, for a  
36 total loan assumption of up to eleven thousand dollars (\$11,000).

37     (b) For purposes of this section, "school year" means at least  
38 175 school days or its equivalent.

39    69617.3. (a) Except as provided in subdivision (b), if a program  
40 participant fails to complete a minimum of four consecutive school

1 years of preschool instruction as required by this article, under the  
2 terms of the agreement pursuant to paragraph (5) of subdivision  
3 (c) of Section 69617, the participant shall assume full liability for  
4 all student loan obligations remaining after the commission's  
5 assumption of loan liability for the last year of qualifying teaching  
6 service pursuant to Section 69617.

7 (b) Notwithstanding subdivision (a), if a program participant  
8 becomes unable to complete one of the four consecutive years of  
9 teaching service due to serious illness, pregnancy, or other natural  
10 causes, the participant shall receive a deferral of the resumption  
11 of full liability for the loan for a period not to exceed one calendar  
12 year.

13 69617.4. (a) The commission shall distribute program  
14 information and student applications to participate in the loan  
15 assumption program to each eligible institution. Each eligible  
16 institution shall receive at least one application. In addition, the  
17 commission shall reexamine its outreach and marketing strategies  
18 to inform both potential undergraduates and persons employed  
19 outside of academia about the availability and benefits of the loan  
20 assumption program. To this end, the commission shall enlist the  
21 advice and support of the California Center for the Teaching  
22 Profession, the University of California, the California State  
23 University, the Association of Independent California Colleges  
24 and Universities, and private employers and their associations  
25 throughout the state.

26 (b) Each eligible institution, school district, and county office  
27 of education shall sign an institutional agreement with the  
28 commission, certifying its intent to administer the loan assumption  
29 program according to all applicable published rules, regulations,  
30 and guidelines, and to make special efforts to notify students  
31 regarding the availability of the program, particularly economically  
32 disadvantaged students.

33 69617.5. (a) The commission shall administer this article, and  
34 shall adopt rules and regulations for that purpose. The rules and  
35 regulations shall include, but need not be limited to, provisions  
36 regarding the period of time during which an agreement shall  
37 remain valid, the reallocation of resources in light of agreements  
38 that are not utilized by program participants, the failure, for any  
39 reason, of a program participant to complete a minimum of four



1 consecutive years of preschool instruction, and the development  
2 of projections for funding purposes.

3 (b) The commission shall solicit the advice of representatives  
4 from postsecondary educational institutions, the State Department  
5 of Education, the State Department of Social Services, school  
6 districts, and county offices of education regarding proposed rules  
7 and regulations.

8 69617.6. The commission shall report annually to the  
9 Legislature regarding all of the following, on the basis of sex, age,  
10 and ethnicity:

11 (a) The total number of program participants.

12 (b) The number of participants who receive a loan assumption  
13 benefit, classified by payment year.

14 (c) The number of out-of-state teachers who enter into  
15 agreements.

16 69617.7. (a) Beginning in the 2008–09 school year, and each  
17 school year thereafter, the commission shall enter into agreements  
18 for the assumption of up to 300 student loans for program  
19 participants eligible under this article.

20 (b) The issuance of warrants under this article in any fiscal year  
21 shall be subject to the provision of funding therefor in the annual  
22 Budget Act.

23 SEC. 3. Section 69622 of the Education Code is amended to  
24 read:

25 69622. (a) Participants shall be enrolled in an approved course  
26 of study leading to the teacher, site supervisor, or program director  
27 level of the Child Development Permit.

28 (b) An applicant shall be eligible to participate if he or she meets  
29 one *or more* of the following criteria:

30 (1) Is nominated by a postsecondary institution.

31 (2) Is nominated by his or her employing agency that holds an  
32 approved waiver of staffing qualifications on behalf of the  
33 applicant.

34 (3) *Is working at a child care center that contracts with the*  
35 *State Department of Education under Chapter 19 (commencing*  
36 *with Section 17906) of Division 1 of Title 5 of the California Code*  
37 *of Regulations.*

38 (4) *Is working at a site operated by a public sector provider*  
39 *that is located in the attendance area of a public elementary school*

1 *that has been ranked in decile 1, 2, or 3 of the Academic*  
2 *Performance Index.*

3 (c) (1) From the list of applicants who are eligible under  
4 subdivisions (a) and (b), the Student Aid Commission, or an agency  
5 designated by the commission, shall select participants on the basis  
6 of their demonstrated financial need and academic achievement,  
7 which may include, but not *necessarily* be limited to, high school  
8 grade-point average, college grade-point average, or academic test  
9 scores.

10 (2) *Notwithstanding paragraph (1), the Student Aid Commission,*  
11 *or an agency designated by the commission, in selecting*  
12 *participants from the list of applicants who are eligible under*  
13 *subdivisions (a) and (b), shall give priority to qualified individuals*  
14 *who are working under the State Preschool Program at licensed*  
15 *children's centers operated at public facilities.*

16 (d) Participants shall maintain no less than half-time enrollment  
17 and satisfactory academic progress as defined by the postsecondary  
18 educational institution.

19 (e) Recipients of a grant may renew their participation by  
20 maintaining satisfactory academic progress, financial need, and  
21 intent to pursue the approved course of study leading to the teacher,  
22 site supervisor, or program director level as provided in subdivision  
23 (a). The maximum amount any one recipient may receive through  
24 the grant program is six thousand dollars (\$6,000).

25 (f) Participants may not concurrently receive benefits from the  
26 grant program under this article and from the Child Development  
27 Teacher Loan Assumption Program.

28 SEC. 4. Section 69624 of the Education Code is amended to  
29 read:

30 69624. (a) It is the intent of the Legislature that up to ~~100~~ 400  
31 new grants be awarded each year, or that the maximum number  
32 of grants be based on the amount of federal funds available from  
33 the Child Development Block Grant Act of 1990 (P.L. 97-35).

34 (b) (1) Grants shall be awarded in the amount of ~~two~~ *three*  
35 ~~thousand dollars (\$2,000)~~ (\$3,000) for each academic year if the  
36 participant is enrolled at least one-half time in a four-year  
37 institution.

38 (2) Grants shall be awarded in the amount of ~~one~~ *two* thousand  
39 ~~dollars (\$1,000)~~ (\$2,000) for each academic year if the participant  
40 is enrolled at least one-half time in a two-year institution.

- 1     (3) Participants may renew their awards for a maximum of one
- 2     additional year.

O